

ESTTA Tracking number: **ESTTA410295**

Filing date: **05/23/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052307
Party	Defendant Richard E. Swan
Correspondence Address	STEPHEN HOLMES ESQ BARLOW JOSEPHS & HOLMES 101 DYER STREET, 5tH FLOOR PROVIDENCE, RI 02903 UNITED STATES sjh@barjos.com
Submission	Other Motions/Papers
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Date	05/23/2011
Attachments	307-status report.pdf (2 pages)(55306 bytes)

Austin Precision Products Inc.
d/b/a LaRue Tactical,

V.

Registrant.

STATUS REPORT

Discovery relating to the validity of the trademark registration remains open at the present time. More particularly, although fact discovery is closed, expert reports were served recently and expert depositions will commence shortly. Following the completion of expert depositions dispositive motions will be filed in June of 2011. As Registrant expects Petitioner to further challenge the validity of the trademark registration through one or more dispositive motions, the validity of the trademark registration remains a contested issue in this litigation, and will continue as a contested issue for the foreseeable future.

Accordingly, the Registrant requests continued suspension of the Cancellation proceedings pending resolution of the litigation.

Respectfully Submitted,
RICHARD E. SWAN

By his attorney:

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **MOTION FOR SUSPENSION OF PROCEEDINGS** was served on counsel for Petitioner, this 23th day of May, 2011 by sending same via First-Class Mail, postage prepaid to:

Gail Taylor Russell
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A handwritten signature in black ink, appearing to read 'Stephen J. Holmes', is written over a horizontal line.

Stephen J. Holmes